

S. W. J.

U.S. DISTRICT COURT
DOCUMENT
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DATE: 11/30/07
JUDGE SAND

899-9

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Attorneys for Plaintiff
PAKRI TANKERS OU

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
PAKRI TANKERS OU,

Plaintiff,

vs.

BALTIC HYDROCARBONS LIMITED,
BALTIC PETROLEUM LTD. AND BALTIC
OIL TERMINAL PLC

Defendants.
-----X

07 Civ. ()

**EX PARTE ORDER FOR
PROCESS OF MARITIME
ATTACHMENT AGAINST
DEFENDANTS BALTIC
HYDROCARBONS LIMITED,
BALTIC PETROLEUM LTD. and
BALTIC OIL TERMINAL PLC**

WHEREAS, on November 30, 2007 Plaintiff PAKRI TANKERS OU filed a Verified Complaint herein for damages amounting to US\$230,283.33 and praying for the issuance of Process of Maritime Attachment and Garnishment pursuant to Rule B of the Supplemental Admiralty Rules for Certain Admiralty and Maritime Claims of the Federal Rules and Civil Procedure; and

WHEREAS the Process of Maritime Attachment and Garnishment would command that the United States Marshal or other designated process server attach any and all of the Defendants' property within this District; and

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WHEREAS the Court has reviewed the Verified Complaint and the Supporting Affidavit and the conditions of Supplemental Admiralty Rule B appearing to exist, it is hereby

ORDERED that Process of Maritime Attachment and Garnishment shall issue against all tangible or intangible property belonging to, claimed by or being held for Defendants BALTIC HYDROCARBONS LIMITED, BALTIC PETROLEUM LTD. AND BALTIC OIL TERMINAL PLC by any garnishees within this District, including but not limited to, HSBC (USA), Bank of America, Wachovia, Citibank, Deutsche Bank & Trust Co., American Express Bank, J.P. Morgan Chase, Bank of New York, HSBC Bank NA and/or Standard Chartered Bank in an amount up to and including US\$224,283.33 pursuant to Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and it is further

ORDERED that any person claiming interest in the property attached or garnisheed pursuant to said order shall, upon application to the Court, be entitled to a prompt hearing at which the Plaintiff shall be required to show cause why the attachment and garnishment should not be vacated or other relief granted; and it is further

ORDERED that supplemental process enforcing the Court's Order may be issued by the Clerk upon application without further Order of the Court; and it is further

ORDERED that following initial service by the United States Marshal or other designated process server upon each garnishee, that supplemental service of the Process of Maritime Attachment and Garnishment, as well as this Order, may be made by way of facsimile transmission or alternative electronic means to any garnishee that advised Plaintiff that it consents to such service; and it is further


ORDERED that service on any garnishee as described above is deemed effective continuous service from the time of service each day through noon of the garnishee's next business day; and it is further

ORDERED that pursuant to Federal Rule of Civil Procedure 5(b)(2)(D) each garnishee may consent, in writing, to accept service by any other means; and it is further

ORDERED that a copy of this Order be attached to and served with said Process of Maritime Attachment and Garnishment.

Dated: New York, New York
November 30, 2007

SO ORDERED:



U.S.D.J.
Part I 